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Vice-President Marshall—All or Nothing.

In the confusion of expert legal and constitutional opinion on the unprecedented situation which President Wilson is now evoking or provoking there is one thing which ought to be perfectly clear.

The President of the United States cannot delegate the functions and powers vested in his sole person by the Constitution. If he is unable to exercise any longer these functions and powers himself they are transferred to another officer of the Government. But they are not transferred by his action, his appointment, his volition. They are transferred automatically by the constitutional provision, and the President from whose hands they pass has no more to do with the process of transfer in case of his "inability" to exercise them longer than he has to do with the process of transfer in case of his death.

Therefore when we read reports of an attempted arrangement by which Vice-President MARSHALL is to give up his Pacific trip and stay in Washington in order to discharge that part of the President's duties which concerns the reception and return of bills passed by Congress and sent to the President for signature or veto we are filled with amazement.

In the constitutional system of the little Republic of San Marino there are two Executives. They are not called Presidents but Captains. If our memory is right, in the San Marino Government a division of powers between the two Chief Executives is conceivable. One of the Captains might be away attending as Capitano a peace conference in Rome or elsewhere and exercising from that distance by telegraph or telephone part of the joint functions of the dual office, while the other Capitano remained on the mountain to take care of administrative matters requiring the immediate presence of the qualified Executive.

But in the Government of the United States of America such an arrangement is inconceivable. It is not warranted by any consideration of the convenience of the absent President. Nothing in our Constitution or statutes comes within three thousand miles of permitting it.

There cannot possibly be at the same time a President of the United States, sojourning in foreign countries and thence discharging by mail or cable a portion of his constitutional powers and duties, and an Acting President at Washington, constitutionally discharging another portion of the powers and duties vested in the President alone.

President Wilson, in his extremely lucid writings, has described the Vice-Presidency as "that singular office." It is not, however, so singular as this proposed division of powers would make it.

It is a question of nil or nothing, as far as concerns Vice-President MARSHALL's constitutional availability to act as President in the absence of President Wilson. An admission by President Wilson of "inability" to discharge such of his powers and duties as relate to his participation in legislative proceedings is an admission of inability to perform any of his functions while abroad. The fundamental law cannot be violated even to enable the President to convey in person his fourteen points to Paris. His inability in any respect is inability in all respects; and that inability would devolve upon the Vice-President all the powers and duties of the President—appointments to office, the negotiation of treaties, the command of the army and navy and every other function which the Constitution enumerates.

Furthermore, the ascertainment of such inability on the part of the President would devolve upon the Vice-President the powers and duties of the President in its final settlement to the Judicial Department of the Federal Government.

A Related Recognition of an "Intolerable" Condition.

We have received a letter from HENRY R. LIMBURG, of counsel for Candidate CHARLES S. WHITMAN, super-

fluently informing us that election contests conducted in accordance with the statutes of New York are long drawn out, tiresome and generally unsatisfactory, and attempting to convince us that this is the chief reason Candidate WHITMAN has advocated the calling of an extraordinary session of the Legislature by Governor WHITMAN to amend the law.

Mr. LIMBURG does not convince us.

What Mr. LIMBURG describes as an "intolerable" condition of the law with regard to the trial of quo warranto proceedings was in existence when CHARLES S. WHITMAN went from Centre street to Capitol Hill, and for nearly four years Governor WHITMAN endured it with perfect equanimity. It was not until the unofficial compilation of the vote of the State gave him notice that he must vacate the Executive Mansion and smashed his candidacy for President of the United States that any "intolerable" quality in the law impressed itself upon his legally trained mind.

Tolerable or intolerable, the law has been good enough for others, and there is no reason why it should be changed at the behest of Governor WHITMAN for the convenience of Candidate WHITMAN.

Our Labor Shortage: The Cause.

Every employer knows by bitter experience what a shortage of labor there was in this country not merely after we went to war, but in the three years before we went to war.

Every employer knows that if all our men in the service had been discharged out, if every munition plant in the country had quit its war work, if everybody had gone back to his own job, there still would be a labor shortage.

The cause is simple enough. It is the stoppage of the great flow of foreign workers who, until the summer of 1914, had come here for generations to help us out in our serious shortage of labor.

In the five years before the upheaval of Europe Germany had a number of immigrants coming into this country averaged annually more than 1,000,000. In the two years immediately preceding the outbreak of the Central Powers the average was more than 1,200,000. But beginning with the middle of 1914 immigration into the United States from the Old World dropped like a shot. In the twelve months following there were only 326,000, and this, of course, largely from the countries not at war with us. In the next twelve months there was a fall below the 300,000 mark, and since then the fall has been steady.

There is no doubt that if there had been no war in Europe this country would have received from all the world between August 1, 1914, and today 5,000,000 more workers than came here. With the enormously enlarged productive capacity of the nation, with its industrial activity greatly increased, with its economic energy exceedingly intensified, we would need today, if the country were back on a peace basis, all those foreign workers that did not come to us in the last four years and a half and many hundreds of thousands besides that would have come in response to the natural law's demand for more and more labor.

Yet, with the war ended nearly three weeks ago, the United States Government continues to squander material on making munitions and other war supplies, to squander coal in providing power for such mills and factories, to squander labor, to squander the taxpayers' money.

Was there ever such industrial and financial waste? Was there ever such economic madness? It would be cheaper by far to pay for every unfilled contract and stop at once every wheel of the war machinery. For our labor and for our natural wealth, now both being criminally wasted in prodigious quantity, it would be sounder and better to take care of the labor as well during its movement from the useless, worthless war work, to useful, essential peace work.

It would be wise statesmanship, it would be common sense, to return the wage earners to the production of the normal and necessary articles of consumption which this nation requires by the billions and billions of dollars. It has not had time since this country entered the war, cannot have them until this Government at knoofs off its war work. Get back to peace business!

Some More Whines From Germany.

That unnamed member of the German commission to sign an armistice whose informal observations on the proceedings in the Forest of Compiègne, published in the *Vossische Zeitung*, have been reproduced in extracts in this country, appears to be typically Prussian in his mental processes and moral quality.

Throughout his account of the communications in which Marshal Foch laid down the terms on which the beaten German armies would be allowed to return to the country from which they came, there is reflected a feeling of astonishment over the fact that the Frenchmen with whom the German delegates came into contact did not greet them with lively affection, or display toward them a personal fondness of the most pronounced type. "The officer who had charge of the train had had charge of the numerous guards who stood around was beyond reproach."

"But all the hostility and fairness of hate for our country that seems now to be cherished in France came to expression in the form of the negotiations as well as in the terrible nature of the conditions."

From the French officers "the

greetings were of the coldest"; Marshal Foch "gave us [the German delegates] no word of particular politeness in earlier times distinguished the most chivalrous nation in the world." His officers were as remote from friendly intercourse. However, Marshal Foch, "with all his coldness," was "by no means so tactless and brusque as General D'Espèrey at Belgrade." Marshal Foch was represented in the conference only by military officers; two members of the German mission were civilians. The situation evokes from this recorder this comment:

"Military Germany thus with two civilians stood face to face with the now completely militarized France."

"Completely militarized France!" Militarized to preserve its existence from the Germans, who, as it now turns out, were on the verge of surrender in the field, but who seem aggrieved that the commission of their own choosing was not duplicated by those for whose mercy they were suing. Representatives of other nations acted in the same manner as the French:

"The enemy maintained in the persons of all his representatives the same objective."

"His coldness was mitigated by no single word that bordered upon the human, as had marked our reception by the Marshal. The English Admiral adopted the tone of the French."

General PERSHING's despatch to the War Department indicates that the reporting of casualties is slow not because of the limitations of the cable but because in an army on the march there is difficulty in checking up. Therefore the mails will be of no use in forwarding any lists to America until the situation along the frontier changes.

American troops are not fighting red flags anywhere.—Secretary BAKER.

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father so completely filling the Balkan stage.

The German newspapers are discussing with much seriousness the reasons of Bulgaria's defection. They have attributed it to lack of support from Berlin, to the poverty of the people and to the connivance of the Entente diplomats. Perhaps a much more plausible explanation may be found in the fact that the hard headed Bulgarians awoke to the fact that the grandiose ideas of conquest were mere dreams of their crafty ruler, to the realization of which they were sacrificing their lives and the best interests of their country. At last they can be assured they are back to solid ground again after the wild flights of fancy in which FERDINAND led them. They are not dreaming now of a "redeemed Macedonia," or a Bulgarian kingdom covering the whole Balkans with its capital city at Constantinople. How much of their present territory can they save? Will they have a port on the Egean? Young Boris and his Premier Malinov have a thoroughly malicious Bulgaria to lead. The sooner the Bulgarians understand this and go back to growing wheat, rice, garlic and roses the better off they will be.

So passes a month which had an election, two peace celebrations and a Thanksgiving, all without undue loss of life or temper.

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